

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

**CPF GP 2019-1, LLC and GREG
JACOBSON,**

Plaintiffs,

V.

**SAFE & GREEN HOLDINGS CORP.
f/k/a SG BLOCKS, INC. and PAUL
GALVIN,**

Defendants.

CIVIL ACTION NO. _____

NOTICE OF REMOVAL OF CIVIL ACTION

Defendants Safe & Green Holdings Corp. f/k/a SG Blocks, Inc. (“S&G”) and Paul Galvin (“Galvin,” along with S&G the “Defendants”) file this Notice of Removal of Civil Action brought against them by Plaintiffs CPF GP 2019-1, LLC (“CPF GP”) and Greg Jacobson (“Jacobson,” along with CPF GP the “Plaintiffs”). The grounds in support of this Notice of Removal are as follows:

1. **Procedural Background.** On July 28, 2023, Plaintiffs filed their Original Petition and Rule 194 Request for Disclosure (the “Complaint”) against Defendants in the 134th Judicial District Court of Dallas County, Texas, under Cause No. DC-23-10507 (the “State Court Action”). A true and correct copy of Plaintiffs’ Complaint is attached as **Exhibit A**. In the Complaint, Plaintiffs asserted a claim for declaratory judgment against Defendants seeking to restrict the ability of Defendants to collect on outstanding loans in the collective amount of \$1,500,000.00 (according to the face of Plaintiffs’ Complaint).

2. Defendants were served with or otherwise received a copy of the Complaint on August 11, 2023. A true and correct copy of the citations received by the Defendants are attached hereto as **Exhibit B**.

3. **This Notice is Timely Pursuant to 28 U.S.C. § 1446(b)(1).** This Notice of Removal of Civil Action is being filed prior to the expiration of the thirty (30) day period after receipt by the Defendants, through service or otherwise, of a copy of the initial pleading and summons setting forth the claim for relief upon which this action is based. *See Exhibit C.*

4. **Existence of Diversity Jurisdiction Pursuant to 28 U.S.C. § 1332.** The State Court Action may be removed to this Court because it is one involving a controversy wholly between citizens of different states and the amount in controversy exceeds \$75,000.00, exclusive of interest and costs. Therefore, this is a civil action in which the district courts of the United States have original diversity jurisdiction pursuant to 28 U.S.C. § 1332, and is one which may be removed to this Court pursuant to 28 U.S.C. § 1441(a).

5. Specifically, Plaintiff CPF GP is a Texas limited liability company with its principal place of business in the State of Texas. Upon information and belief, as of the date of this Notice of Removal, Plaintiff CPF GP continues to be organized in Texas and has its principal place of business in Texas.

6. Plaintiff Jacobson is an individual residing in Dallas County, Texas, and, as stated in the Complaint, conducts business in Texas.

7. Defendant S&G is a corporation that was incorporated in the State of Delaware with its principal place of business in the State of Florida at the time the State Court Action was filed. As of the date of this Notice of Removal, Defendant S&G continues to be incorporated in Delaware and has its principal place of business in Florida.

8. Defendant Galvin is an individual residing in the State of Florida, as stated in the Complaint.

9. **Notice Filed in the State Court Action.** Promptly after filing this Notice of Removal, Defendants will provide written notice of removal to Plaintiffs and will file a copy of this Notice of Removal with the Clerk for the District Court of Dallas County, Texas, as provided by law. A true and correct copy of the Notice being filed with the 134th Judicial District Court of Dallas County, Texas is attached hereto as **Exhibit D**.

10. **Jury Demand.** No jury was demanded in the State Court Action. A true and correct copy of the docket in the State Court Action is attached as **Exhibit E**. A true and correct copy of the remainder of the filings in the State Court Action not referenced above (specifically the letter from Plaintiffs requesting citations be issued and the return of service for Defendant S&G) are attached as **Exhibit F** and **Exhibit G**.

11. **Consent.** All Defendants who are parties to the State Court Action, as of the date of this Notice of Removal, consent to the removal of this case to the Northern District of Texas.

Respectfully submitted this 5th day of September, 2023.

CHAMBLEE RYAN, P.C.

/s/ Jack Ternan

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**ATTORNEY FOR DEFENDANTS SAFE
& GREEN CORP. AND PAUL GALVIN**

CERTIFICATE OF SERVICE

I hereby certify that on September 5, 2023, I electronically filed the foregoing Notice of Removal of Civil Action with the clerk of court for the U.S. District Court, Northern District of Texas, using the electronic case filing system of the court, and served a true and correct copy of this document on the following attorneys of record as indicated below:

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/s/ Jack Ternan
JACK TERNAN